

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JIMI ROSE,)	CIVIL RIGHTS ACTION
)	
Plaintiff)	
)	
vs.)	No. 02-CV-3842
)	
)	
CITY OF ALLENTOWN, and)	JURY TRIAL DEMANDED
ZONING HEARING BOARD OF)	
THE CITY OF ALLENTOWN,)	
Defendants)	

DEFENDANTS' ANSWER TO MOTION FOR RECONSIDERATION

The Defendants, City of Allentown and Zoning Hearing Board of the City of Allentown, by counsel, James T. Huber, Esquire, answer the Plaintiff's Motion for Reconsideration as follows:

1. Denied. The Plaintiff brought this action to try to get the Defendants to grant him two extra hours a night for his exotic dance bar. He was unsuccessful in multiple filings before the Allentown Zoning Hearing Board.
2. Admitted.
3. Admitted.
4. Admitted.
5. This is a conclusion of law to which no answer is required.
- 6 - 48. Denied. By way of further answer, these paragraphs contain conclusions of law to which no answer is required.

WHEREFORE, come the Defendants, by counsel, James T. Huber, Esquire, and respectfully request that the Plaintiff's Motion for Reconsideration be denied.

RESPECTFULLY SUBMITTED,

James T. Huber, Esquire
HUBER AND WALDRON
535 Hamilton Mall, Suite 301
Allentown, Pennsylvania 18101
(610) 435-9790
I.D. No. 22089

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ORDER

____NOW, this _____ day of _____, 2005, upon consideration of the Plaintiff's Motion for Reconsideration, and the Defendants' Answer thereto, said Motion is denied.

BY THE COURT:

J.

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CERTIFICATE OF SERVICE

I, James T. Huber, Esquire, hereby certify that I have mailed, by first-class regular mail, a true and correct copy of Defendants' Answer to Motion for Reconsideration and proposed Order, upon:

Jimi Rose
911 Barnsdale Road
Allentown, Pennsylvania 18103

James T. Huber, Esquire

Dated: _____